

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA

IN AND FOR THE COUNTY OF MARICOPA

IN THE MATTER OF THE OPERATION)	
OF THE JUDICIAL BRANCH AND)	ADMINISTRATIVE
ORDER		
SUPERIOR COURT DIVISIONS THEREOF)	NO. 95-012
_____)	

ARS 912-231 provides:

Each judge of the superior court may appoint such bailiffs as necessary to insure orderly transaction of the business of the court. The appointing judge shall prescribe the duties of the bailiff.

Judge Daniel A. Barker has been a judge of the superior court since January 1, 1992, and has had a bailiff whom he appointed at that time. The bailiff appointed by Judge Barker has performed the duties prescribed by Judge Barker since that time, consistent with attachment A, Bailiff II. Due to the resignation of the person filling that bailiff position, Judge Barker will have a vacant bailiff position as of January 29, 1995. Judge Barker has determined that filling the position on January 29, 1995, is necessary to insure orderly transaction of the business of his division and that Scott Anderson is the person to appoint to fill that position.

The presiding judge has determined that the filling of the position by Judge Barker is necessary to insure orderly transaction of the business of the superior court and the administration of justice in Maricopa County.

The presiding judge has heretofore requested the Board of Supervisors of Maricopa County and the appropriate administrative personnel to take the necessary action and to process the necessary paperwork to accomplish this appointment, and has followed all county personnel and other procedures established to request the filling and funding of this position. The Board of Supervisors rejected the request on January 18, 1995 without explanation.

Accordingly, it is

ORDERED appointing Scott Anderson as bailiff for Judge Daniel A. Barker, effective January 29, 1995.

Administrative Order 95-012

ORDERED Scott Anderson shall perform the duties prescribed in Attachment A, Bailiff II, which is incorporated herein, and in addition, such other duties as may from time to time be prescribed by Judge Barker.

ORDERED directing the Board of Supervisors of Maricopa County, the appropriate administrative personnel of Maricopa County and superior court administration personnel, to perform or cause to be performed those acts necessary to effectuate and implement the foregoing orders so as to fill and fund this position effective January 29, 1995.

ORDERED setting an administrative hearing on **Thursday, January 26, 1995 at 10:00 a.m.** in Courtroom 402, Central Court Building, before Judge Robert B. Buchanan, at which time the members of the Board of Supervisors, or their designees, are invited to attend, if they wish, to present any information they may have which clearly shows that the foregoing orders are not reasonable or necessary for the administration of justice. Upon such showing being made, this order will be rescinded, otherwise it will remain in full force and effect subject only to the right of the Board of Supervisors to challenge in a Special Action in accordance with Maricopa County v. Dann, 157 Ariz. 396 (1988).

ORDERED directing the Clerk of the Superior Court to create a special file in this matter numbered AO 95-012 and to file in and retain in or with the file all materials pertaining to proceedings regarding this Administrative Order 95-012.

ORDERED directing the Sheriff of Maricopa County to forthwith serve this Administrative Order 95-012 on Fran McCarroll, Clerk of the Board of Supervisors; Tom Rawles, Chairman of the Board of Supervisors; Don Stapley, Supervisor, District 2; Betsey Bayless, Supervisor, District 3; Ed King, Supervisor, District 4; Mary Rose Wilcox, Supervisor, District 5; David R. Smith, County Administrative; and Richard Romley, Maricopa County Attorney.

Done on January 19, 1995.

Daniel A. Barker
Appointing Judge

C. Kimball Rose
Presiding Judge

Original w/attachment filed with Clerk of the Court

Administrative Order 95-012

BCC: All Judges and Commissioners
Court Management Team
Chief Justice Stanley G. Feldman
David Byers, Administrative Director, AOC
Sandra Wilson, Director, Office of Management & Budget
Shawn Nau, Office of County Counsel